

Exhibit “D”

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DELAGE LANDEN FINANCIAL SERVICES, INC.,	:	CIVIL ACTION NO. 2:02CV2810
Plaintiff,	:	HON. RONALD L. BUCKWALTER
TOSHIBA AMERICA MEDICAL SYSTEMS, INC.	:	
Plaintiff/Intervenor,	:	
:	:	
v.	:	
:	:	
DESOTO DIAGNOSTIC IMAGING, LLC., RANDON J. CARVEL, LYNN T. CARVEL, DELTA RADIOLOGY, P.C. and ZOBAR PROPERTIES, LLC	:	
:	:	
Defendants.	:	
:	:	

**OBJECTIONS AND RESPONSES OF PLAINTIFF/INTERVENOR
TOSHIBA AMERICAN MEDICAL SYSTEMS, INC. TO DEFENDANTS'
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Plaintiff/Intervenor Toshiba America Medical Systems, Inc. ("TAMS"), by and through its undersigned attorneys and pursuant to Federal Rule of Civil Procedure 34, objects and responds to Defendants DeSoto Diagnostic Imaging, LLC, Randon J. Carvel, Lynn T. Carvel, Delta Radiology, P.C., and Zobar Properties, LLC's ("Defendants" or "DeSoto") Second Request for Production of Documents as follows:

GENERAL OBJECTIONS

1. TAMS objects to the Requests, Instructions and Definitions to the extent that they purport to impose upon TAMS obligations different from, or beyond those, required by the Federal Rules of Civil Procedure.

2. TAMS objects to the Requests, Instructions and Definitions to the extent that they seek documents protected by the attorney-client privilege, the work product doctrine or

Request Nos. 8, 9 and 10 above. TAMS repeats and incorporates by reference as if set forth fully herein its responses to Requests Nos. 8, 9 and 10.

13. **Produce any and all documents relating to any agreements entered into between TAMS and DLL, wherein TAMS assigned all of its right, title and interest in and to various equipment leases, including the lease between TAMS and DDI, as well as the Guarantees executed by the guarantor defendants as stated in Memorandum of Law in Support of TAMS' Motion to Intervene as Additional Party Plaintiff on page 3 paragraph 1.**

RESPONSE:

TAMS objects to this Request as irrelevant to the extent that it does not relate to the lease of equipment to DeSoto. To the extent that it does relate to the lease of equipment to DeSoto TAMS nevertheless objects to this Request on the ground that it is irrelevant. TAMS further objects to this Request as vague and overbroad in that it fails to set forth and describe the items requested to be reviewed "with reasonable particularity" as required by Federal Rule of Civil Procedure 34(b), and on the ground that it is duplicative of Request Nos. 8, 9 and 10 above. TAMS repeats and incorporates by reference as if fully set forth herein its responses to Request Nos. 8, 9 and 10.

14. **All documents which relate in any way to DLL's alleged acquisition of the Equipment from TAMS.**

RESPONSE:

TAMS objects to the phrase "DLL's alleged acquisition of the Equipment from TAMS" as vague, ambiguous and undefined. TAMS further objects to this Request as vague and overbroad in that it fails to set forth and describe the items requested to be reviewed "with reasonable particularity" as required by Federal Rule of Civil Procedure 34(b). TAMS also objects to this Request as irrelevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these

TAMS responds that it is unaware of any non-privileged documents identified in its initial disclosures that have not been produced, but that it will produce any that DeSoto has identified.

Date: August 11, 2003



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CERTIFICATE OF SERVICE

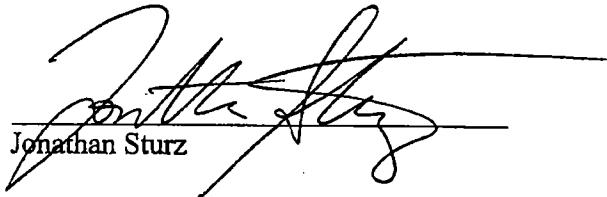
I, the undersigned, hereby certify that today I caused a true and correct copy of Plaintiff/Intervenor Toshiba America Medical Systems, Inc.'s Responses and Objections to Defendants' Second Request for Production of Documents to be served upon counsel of record for all of the other parties to this proceeding by first-class United States Mail, postage prepaid, at the following addresses:

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Dated: August 11, 2003


Jonathan Sturz